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## Rights agency wins case for pregnant teachers

By JOHN O. DAVIES  
The Courier-News Bureau

TRENTON — The N.J. Civil Rights Division today won its campaign to prevent school boards from barring pregnant teachers from classrooms. The division announced that two school boards, in Bloomfield and New Milford, have agreed to allow all teachers who want to work during their pregnancy to do so.

A third school board, in Pequannock in Morris County, is being heard by the division on the same issue. James H. Blair, Civil Rights Division director, said the boards from harring pregnant teachers have signed consent agreements under which "no teacher may be removed in the future from her duties because she is pregnant or is in a particular month of pregnancy."

Under the consent order, Blair said, school boards can relieve pregnant teachers only if their work "declines" or for "just cause."

Pregnant teachers also cannot be removed for medical reasons, the order stipulates, unless they are unable to produce certificates signed by their doctors stating that they are physically capable of working. Even if a school board doctor contends that the pregnant teacher is not physically capable of working, she must be allowed to continue teaching if her own physician disagrees with that conclusion and the latter is supported by a third impartial physician. In cases of such disagreement, the three-doctor majority decision would be "a binding determination as to physical capacity," Blair said.

The consent order — which applies to all school boards throughout the state — also requires that leaves of absence be granted to all pregnant teachers requesting leaves. In addition, teachers may not be barred from returning to work after their pregnancy by any so-called "waiting period" between birth and return to work.

The Bloomfield board had required pregnant teachers to discontinue teaching after their third month of pregnancy and barred them from returning to work for one year after that.

The New Milford board discharged all non-tenure teachers after five months of pregnancy and refused to grant any leaves of absence to them.

The two boards signed the consent orders after the first day of public hearings on the issue had begun.

At the hearing, Deputy Attorney General David Ben-Asher, representing the Civil Rights Division, argued that "generalized rules requiring all women to leave work at a pre-set month in their pregnancy without regard to their individual conditions at that time were illegal because they treated women as a class to their detriment and because it cannot be demonstrated that all women are unable to perform their jobs after a predetermined month of pregnancy."

He also charged that failure to grant requested leaves for pregnancy "treated that condition discriminatorily in relation to the leaves granted for illnesses and military service" and that a rule setting a lengthy waiting period for return to work following birth for all mothers are "invalid in the absence of a rule similarly restricting fathers."

### Cahill wants better state-student link

The Courier-News Bureau

TRENTON — Governor Cahill today appealed to student leaders at New Jersey's colleges to renew and expand their liaison with state government and the Division of Corrections throughout the new academic year.

—A hearing between students and high education officials on the master plan for higher education.

—A meeting between college and university representatives and the Division of Corrections and Parole to "explore ways

### New fall arrivals!

## Women's Shoes